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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/910,083	Applicant(s) BRITTON ET AL.	
	Examiner James H. Blackwell	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-27,29,31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-27,29,31 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/16/2005 has been entered.
2. Claims 1, 4-27, 29, and 31-32 remain pending.

1.131 Affidavit

3. The Affidavit filed on 11/16/2005 under 37 CFR 1.131 has been considered but is ineffective to overcome the Nagao reference.
4. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Nagao reference to either a constructive reduction to practice or an actual reduction to practice. Evidence, in the form of letters provided by Applicant (Appendix B), is insufficient to show diligence over the span of time from April 1, 2001 to July 20, 2001 as the letters only reflect a single date (June 19, 2001). Referring to the attached 715.07 [R-3] of the MPEP (8th Edition, revised October 2005), the letters provided as evidence of diligence constitute mere conclusions rather than facts as referenced in Section 715.07 as listed below.

715.07 [R-3] Facts and Documentary Evidence

I. GENERAL REQUIREMENTS

The essential thing to be shown under 37 CFR 1.131 is priority of invention and this may be done by any satisfactory evidence of the fact. FACTS, not conclusions, must be alleged. Evidence in the form of exhibits may accompany the affidavit or declaration. Each exhibit relied upon should be specifically referred to in the affidavit or declaration, in terms of what it is relied upon to show. For example, the allegations of fact might be supported by submitting as evidence one or more of the following:

- (A) attached sketches;
- (B) attached blueprints;
- (C) attached photographs;
- (D) attached reproductions of notebook entries;
- (E) an accompanying model;
- (F) attached supporting statements by witnesses, where verbal disclosures are the evidence relied upon. *Ex parte Ovshinsky*, 10 USPQ2d 1075 (Bd. Pat. App. & Inter. 1989);
- (G) testimony given in an interference. Where interference testimony is used, the applicant must point out which parts of the testimony are being relied on; examiners cannot be expected to search the entire interference record for the evidence. *Ex parte Homan*, 1905 C.D. 288 (Comm'r Pat. 1905);
- (H) Disclosure documents (MPEP § 1706) may be used as documentary evidence of conception.

Exhibits and models must comply with the requirements of 37 CFR 1.91 to be entered into an application file. See also MPEP § 715.07(d).

A general allegation that the invention was completed prior to the date of the reference is not sufficient. *Ex parte Saunders*, 1883 C.D. 23, 23 O.G. 1224 (Comm'r Pat. 1883). Similarly, a declaration by the inventor to the effect that his or her invention was conceived or reduced to practice prior to the reference date, without a statement of facts demonstrating the correctness of this conclusion, is insufficient to satisfy 37 CFR 1.131. 37 CFR 1.131(b) requires that original exhibits of drawings or records, or photocopies thereof, accompany and form part of the affidavit or declaration or their absence satisfactorily explained. In *Ex parte Donovan*, 1890 C.D. 109, 52 O.G. 309 (Comm'r Pat. 1890) the court stated

If the applicant made sketches he should so state, and produce and describe them; if the sketches were made and lost, and their contents remembered, they should be reproduced and furnished in place of the originals. The same course should be pursued if the disclosure was by means of models. If neither sketches nor models are relied upon, but it is claimed that verbal disclosures, sufficiently clear to indicate definite conception of the invention, were made the witness should state as nearly as

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 5-6, 7-21, and 23-27, 29, and 31-32 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich (U.S. Patent No. 5,826,025, filed 09/08/1995) in view of Nagao et al. (hereinafter Nagao, "Semantic annotation and transcoding: making Web content more accessible", Multimedia, IEEE, Vol. 8, Issue 2, Apr-Jun 2001 Page(s): 69-81).

In regard to independent Claim 1 (and similarly independent Claims 27, and 31-32), Gramlich teaches *specifying one or more annotations coded according to a first syntax of one of Hypertext Markup Language (HTML), Extensible Markup Language (XML), Wireless Markup Language (WML), and Handheld Device Markup Language (HDML), wherein one or more annotations indicate one or more conditions for when they are to be inserted into a document* in that a user requests a source document with a web browser either by selecting a hypertext link, or by issuing a document request by entering the desired document's URL in the web browser (Col. 4, lines 44-52). The browser then issues an HTTP document request message 117 specifying the URL of the requested document. Unlike existing browsers, the browser 112 issues the document request message 117 to the Annotation Overlay Proxy (AOP) 114 rather than

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to a firewall proxy or directly to the web servers (Col. 4, lines 53-57). The web browser 112 also issues an HTTP sources message (116) to the AOP (114). This is a new message that specifies the URLs of the overlay groups containing information to be merged by the AOP 114 with the document requested by the user (Col. 4, lines 61-66). Each annotation overlay 119 has five fields: (1) document URL, (2) source, (3) pattern, (4) action and (5) arg (short for argument), which respectively tell the AOP 114: (1) the URL of the document to which the annotated pertains; (2) which source contributed the annotation overlay; (3) what specific part (or pattern) of the returned document the overlay pertains to; (4) the action to take with respect to the pattern; and (5) any additional information to associate in the merged document with the pattern. This additional information can include text or graphics to be inserted in the merged document or a designation of a "type" annotation, such as grammar error ("gr"), spelling error ("sp"), "agree", or "disagree" (Col. 5, lines 52-67; Table 3). The pattern (3) is a pattern of words or pixels in the requested document that the AOP 114 must operate on. The pattern syntax consists of a list of words or pixels making up the pattern set off by balanced single quotes. For example, in the illustration above, the pattern the AOP 114 must search for in the document identified by the document URL <http://info.cern.sh/hypertext/WWW/Daemon/User> is: `Files can be real or synthesized`. The remaining fields (4) and (5) tell the AOP 114 what actions to take with regard to occurrences in the corresponding document (Col. 9, lines 19-33).

Gramlich fails to explicitly specify a markup language for the annotations.

However, Nagao teaches annotations represented by XML formatted data (Pg. 71, Left-

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hand Column, 2nd Paragraph under "External Annotation" heading). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Nagao as both inventions relate to annotating documents. Adding the teaching of Nagao provides the benefit of annotating using formal markup languages allowing for easier integration into existing markup language-based documents.

Gramlich continues by teaching *selectively inserting the specified annotations in a target document coded according to a second syntax of a different one of HTML, XML, WML, and HDML from the first syntax based on whether the indicated one or more conditions are satisfied, thereby transcoding the target document* in that when creating the merged document 120, the AOP 114 first copies the requested document to the merged document. The AOP 114 then adds the associated annotation overlays 119 to the merged document 120 in an order determined by the precedence of the operation associated with each respective annotation overlay 119. In the preferred embodiment, the operations' precedence order, from highest to lowest, is: insert, replace, delete and program. This precedence order is inversely related to the degree of disruption caused in the merged document 120 by a particular operation. For example, a delete operation from a source 2 (overlay group 152) overlay might delete the pattern needed for an insert operation from a source 1 (overlay group 150) overlay, but not vice versa. Any other precedence scheme could also be implemented. Of course, even given operator precedence, it is inevitable that sometimes the pattern required by an overlay is not in the merged document. When this is the case, the AOP 114 appends

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the annotation overlay 119 including that pattern to the merged document and links that overlay to an "unassociated.sub.-- annotation" icon displayed at the beginning of the document. By selecting an unassociated.sub.-- annotation icon, a user may read the corresponding annotation overlay 119 which is displayed by the Web browser 112 (Col. 11, lines 62-67; Col. 12, lines 1-17). Hence, Gramlich teaches the selective insertion of annotations based on conditions. The merged document is then returned to the user at the web browser. From that point, it would have been obvious to one of ordinary skill in the art at the time of invention to save the merged document to a file, making it available to other applications for further processing such as advanced transcoding. It would have also been obvious to one of ordinary skill in the art at the time of invention to assume that the patterns being sought, and the eventual annotation could be anything. If for example, the requested document was an HTML document, which it likely is in the invention of Gramlich, anything that can be found in an HTML document could have been acted upon with Gramlich's invention. The benefit of Gramlich's invention would have been to prepare a requested document for a given user based on a number of conditions. It is also noted that Nagao's annotations are stored in an XML format for insertion into and association with any element of any HTML document (Pg. 71, Left-hand Column, 1st Paragraph under "External Annotation" heading). Thus, it would have also been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Nagao as both references are related to annotation for the purpose of transcoding documents. Adding the teaching of Nagao provides the benefit of using a standardized language such as XML for storing annotations for

inclusion into a variety of other markup language documents such as those coded in HTML.

In regard to dependent Claim 5, Gramlich teaches that *at least one of the specified annotations is specified inline within the target document* in that the annotations are merged with the target document (Col. 2, lines 66-67; Col. 3, lines 1-2).

In regard to dependent Claim 6, Gramlich teaches that at least one of the inserted annotations requests clipping content from a document, and further comprising clipping content from the target document based on the at least one of the inserted annotations in that one of the action fields in the annotation overlays involves deleting the specified pattern or a range of words/images surrounding the specified pattern; the pattern is looked for in the requested document that is to be annotated (Col. 9, lines 45-47).

In regard to dependent Claim 7, Gramlich fails to specifically teach that at least one of the inserted annotations describes changes to one or more form elements in a document, and further comprising changing one or more form elements in the target document based on the at least one of the inserted annotations. However, Gramlich does teach that the action field of the annotation overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought. It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those patterns could have been to match form elements since both the overlays and the requested document are both written in HTML and one of the possible components in such a document could have been an HTML form. Gramlich would offer the benefit of changing anything contained in a typical HTML document including form elements.

In regard to dependent Claim 8, Gramlich teaches that *at least one of the inserted annotations prescribes one or more nodes to be replaced in a document, and further comprising replacing one or more nodes in the target document based on the at least one of the inserted annotations* in that the action field in each of the annotation overlays can contain a Replace attribute that acts to replace the specified pattern or a designated part of the document including the specified pattern with the contents of the arg field (Col. 9, lines 48-51).

In regard to dependent Claim 9, Gramlich fails to specifically teach that *at least one of the inserted annotations specifies one or more (attribute name, attribute value) pairs to be inserted into a document, and further comprising inserting one or more (attribute name, attribute value) pairs in the target document based on the at least one of the inserted annotations*. However, Gramlich does teach that the action field of the annotation can contain an Insert attribute overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought. It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those patterns could have been to insert attribute name/value pairs since both the overlays and the requested document are both written in HTML and one of the possible components in such a document would have been a HTML tag containing attribute name/value pairs (e.g., a hyperlink). Gramlich would offer the benefit of changing anything contained in a typical HTML document including name/value pairs.

In regard to dependent Claim 10, Gramlich fails to specifically teach that *at least one of the inserted annotations specifies fine-grained transcoding preferences to be inserted into a document, and further comprising inserting fine-grained transcoding preferences in the target document based on the at least one of the inserted annotations*. However, Gramlich does teach that the action field of the annotation overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought. It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those actions could have been to insert fine-grained transcoding preferences since the invention of Gramlich is capable of inserting annotations regardless of what those annotations might contain. One of the goals in annotating any document is to enhance it in some way, so that it becomes more useful and informative to the eventual recipient. Inserting preferences to assist in further actions on the document would be just one of many examples of annotations that would enhance the document for the eventual recipient be that a person, or additional coding.

In regard to dependent Claim 11, Claim 11 reflects the method of enhancing document transcoding as claimed in Claim 10, and is rejected along the same rationale.

In regard to dependent Claims 12-15, Claims 12-15 reflect the method of enhancing document transcoding as stated in Claim 1, and are rejected along the same rationale.

In regard to dependent Claim 16, Gramlich teaches that *the location is expressed using positional information that is based upon target tags in a target* in that a pattern (3) is a pattern of words or pixels in the requested document that the AOP 114 must operate on. The pattern field is necessary, as the document URL in an annotation overlay does not provide *fine location* within a document but merely a pointer to the document as a whole. The pattern syntax consists of a list of words or pixels making up the pattern set off by balanced single quotes (Col. 9, lines 19-27).

In regard to dependent Claim 17, Gramlich does not explicitly teach that *the positional information enables case-insensitive matching of text in the target document*. However, given that the pattern field of Gramlich consists of a pattern of words or pixels in the requested document that the AOP 114 must operate on. The pattern field is necessary, as the document URL in an annotation overlay does not provide fine location within a document but merely a pointer to the document as a whole. The pattern syntax consists of a list of words or pixels making up the pattern set off by balanced single quotes (Col. 9, lines 19-27). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that the pattern defined in a given annotation overlay could have been made to be "case-insensitive" as this would have benefited the matching of items in the target document by ignoring case since different authors might code the HTML in different ways. For example, some web authors like to capitalize HTML tags. By ignoring case, those tags would always be found. Likewise, some authors prefer to capitalize attribute names (e.g., ALT="").

In regard to dependent Claim 18, Gramlich fails to explicitly teach that *the positional information enables the selectively inserting step to operate with statically generated document content as well as with dynamically generated document content.* However, Gramlich does teach that the requested document is first copied to the merged document (the target) (Col. 11, lines 62-63). If one assumes that the requested document is static, then the initial target document is also static. Once the annotation overlays act on the target document, it becomes a dynamically generated document in that the annotations are dynamically changing the contents of the original static document. Hence, It would have been obvious to one of ordinary skill in the art at the time of invention to conclude that the selectively inserting step would have been working on both static and dynamically generated documents in this case, as claimed.

In regard to dependent Claims 19-20, claims 19-20 reflects the method of enhancing document transcoding as claimed in claim 17, and is rejected along the same rationale.

In regard to dependent Claim 21, Gramlich teaches a definition of the annotation indicates whether the annotation should be inserted before or after the location in that for example, in Table 3: 1)
<http://info.cern.sh/hypertext/WWW/Daemon/User> (3)(4) `Files can be real or synthesized` [Insert after sentence] (5) Unfortunately, there is no way to tell the difference between synthesized and real files; this makes it extremely difficult to reliably cache HTML documents using the CERN server (Col. 12, lines 51-57). In this example, the "[Insert after sentence]" require that the annotation occur after the location.

In regard to dependent Claim 23, Gramlich fails to explicitly teach that *the at least one specified annotation further specifies one or more rows and/or columns to be clipped from the tables*. However, Gramlich does teach that the action field of the annotation overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought (Col. 9, lines 35-54). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those changes could have been to delete (clip) one or more columns/rows of a table since the invention of Gramlich includes the possibility of annotation overlays that delete (clip) items from a requested document regardless of what those items are as long as the pattern is matched. The benefit would have been to provide a document for a given user or for further processing by other applications.

In regard to dependent Claims 24-25, Gramlich fails to specifically teach a *definition of a particular one of the specified annotations states at least one (key, value) pair as a condition that indicates when the particular annotation is to be inserted into a document.* However, Gramlich does teach that each of the annotation overlays (which can exist in groups (Col. 6, lines 58-67; Col. 7, lines 1-4)) contain patterns that are designed to match certain portions of the requested document (Col. 9, lines 18-33). The patterns can consist of practically anything. The actions to be taken once a pattern is identified can include an Insert action that inserts the contents of the arg field into the requested document at a specified location relative to the pattern found (Col. 9, lines 35-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that the invention of Gramlich could have used a key/value pair as a pattern to identify in the requested document, providing the benefit of locating a particular URL and inserting an annotation near it.

In regard to dependent Claim 26, Gramlich fails to explicitly teach that *the* *location is expressed using Xpath notation.* It is well known that XPath is a language for finding information in an XML document. XPath is used to navigate through elements and attributes in an XML document. Hence, it is a pattern matching language. Gramlich uses patterns in its annotation overlays. It would have been obvious to one of ordinary skill in the art at the time of invention to conclude that one could have used XPath notation in the invention of Gramlich, just as one could have used any other form of pattern matching syntax. The benefit would have been to better locate patterns in a markup language document such as HTML, SGML, and XML and annotate them.

In regard to dependent Claim 29, Claim 29 reflects the method of enhancing document transcoding as claimed in Claim 1 (and similarly Claim 27) and is rejected along the same rationale.

7. Claims 4, and 22 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich in view of Nagao, and in further view of Anderson et al. (hereinafter, Anderson, U.S. Patent No. 5,581,682, filed 06/25/1992).

In regard to dependent Claim 4, Gramlich fails to teach that *at least one of the specified annotations is specified separately from the target document*. However, Anderson teaches that the annotations are overlaid on the final-form document much as one would overlay one transparency slide over another where the topmost sheet represents an annotation. In this way, it adds to the content of the document without physically being written atop the bottom slide (the original). Using the two-slide metaphor, Thus, Anderson teaches that the annotations are separate from the target document as claimed (Col. 2, lines 24-36). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Anderson as both inventions relate to annotating documents. Anderson's teaching provides the benefit of keeping the original document intact.

In regard to dependent Claim 22, Gramlich fails to explicitly teach that *the at least one specified annotation further specifies one or more exceptions to the clipping of the content*. However, Anderson teaches that in order to apply a reduction overlay, one needs to have proper security and that the security has to match the level assigned to the overlay (Fig. 5, block 8). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Anderson as both inventions relate to annotating documents. Adding the teaching of Anderson further clarifies the annotation process described by Gramlich.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 5-6, 7-21, and 23-27, 29, and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich (U.S. Patent No. 5,826,025, filed 09/08/1995) in view of Roscheisen et al. (hereinafter Roscheisen, "Shared Web Annotations as a Platform for Third-Party Value-Added, Information Providers: Architecture, Protocols, and Usage Examples", 1995, Stanford Univ., pp. 1-29).

In regard to independent Claim 1 (and similarly independent Claims 27, and 31-32), Gramlich teaches *specifying one or more annotations coded according to a first*

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syntax of one of Hypertext Markup Language (HTML), Extensible Markup Language (XML), Wireless Markup Language (WML), and Handheld Device Markup Language (HDML), wherein one or more annotations indicate one or more conditions for when they are to be inserted into a document in that a user requests a source document with a web browser either by selecting a hypertext link, or by issuing a document request by entering the desired document's URL in the web browser (Col. 4, lines 44-52). The browser then issues an HTTP document request message 117 specifying the URL of the requested document. Unlike existing browsers, the browser 112 issues the document request message 117 to the Annotation Overlay Proxy (AOP) 114 rather than to a firewall proxy or directly to the web servers (Col. 4, lines 53-57). The web browser 112 also issues an HTTP sources message (116) to the AOP (114). This is a new message that specifies the URLs of the overlay groups containing information to be merged by the AOP 114 with the document requested by the user (Col. 4, lines 61-66). Each annotation overlay 119 has five fields: (1) document URL, (2) source, (3) pattern, (4) action and (5) arg (short for argument), which respectively tell the AOP 114: (1) the URL of the document to which the annotated pertains; (2) which source contributed the annotation overlay; (3) what specific part (or pattern) of the returned document the overlay pertains to; (4) the action to take with respect to the pattern; and (5) any additional information to associate in the merged document with the pattern. This additional information can include text or graphics to be inserted in the merged document or a designation of a "type" annotation, such as grammar error ("gr"), spelling error ("sp"), "agree", or "disagree" (Col. 5, lines 52-67; Table 3). The pattern (3) is a

pattern of words or pixels in the requested document that the AOP 114 must operate on. The pattern syntax consists of a list of words or pixels making up the pattern set off by balanced single quotes. For example, in the illustration above, the pattern the AOP 114 must search for in the document identified by the document URL <http://info.cern.ch/hypertext/WWW/Daemon/User> is: `Files can be real or synthesized`. The remaining fields (4) and (5) tells the AOP 114 what actions to take with regard to occurrences in the corresponding document (Col. 9, lines 19-33).

Gramlich fails to explicitly specify a markup language for the annotations. However, Roscheisen teaches annotations represented by HTML formatted data (Pg. 12, 2nd Paragraph annotations in dynamically generated HTML). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Roscheisen as both inventions relate to annotating documents. Adding the teaching of Roscheisen provides the benefit of annotating using formal markup languages allowing for easier integration into existing markup language-based documents.

Gramlich continues by teaching *selectively inserting the specified annotations in a target document coded according to a second syntax of a different one of HTML, XML, WML, and HDML from the first syntax based on whether the indicated one or more conditions are satisfied, thereby transcoding the target document* in that when creating the merged document 120, the AOP 114 first copies the requested document to the merged document. The AOP 114 then adds the associated annotation overlays 119 to the merged document 120 in an order determined by the precedence of the

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operation associated with each respective annotation overlay 119. In the preferred embodiment, the operations' precedence order, from highest to lowest, is: insert, replace, delete and program. This precedence order is inversely related to the degree of disruption caused in the merged document 120 by a particular operation. For example, a delete operation from a source 2 (overlay group 152) overlay might delete the pattern needed for an insert operation from a source 1 (overlay group 150) overlay, but not vice versa. Any other precedence scheme could also be implemented. Of course, even given operator precedence, it is inevitable that sometimes the pattern required by an overlay is not in the merged document. When this is the case, the AOP 114 appends the annotation overlay 119 including that pattern to the merged document and links that overlay to an "unassociated.sub.-- annotation" icon displayed at the beginning of the document. By selecting an unassociated.sub.-- annotation icon, a user may read the corresponding annotation overlay 119 which is displayed by the Web browser 112 (Col. 11, lines 62-67; Col. 12, lines 1-17). Hence, Gramlich teaches the selective insertion of annotations based on conditions. The merged document is then returned to the user at the web browser. From that point, it would have been obvious to one of ordinary skill in the art at the time of invention to save the merged document to a file, making it available to other applications for further processing such as advanced transcoding. It would have also been obvious to one of ordinary skill in the art at the time of invention to assume that the patterns being sought, and the eventual annotation could be anything. If for example, the requested document was an HTML document, which it likely is in the invention of Gramlich, anything that can be found in an HTML document could have

been acted upon with Gramlich's invention. The benefit of Gramlich's invention would have been to prepare a requested document for a given user based on a number of conditions.

In regard to dependent Claim 5, Gramlich teaches that *at least one of the specified annotations is specified inline within the target document* in that the annotations are merged with the target document (Col. 2, lines 66-67; Col. 3, lines 1-2).

In regard to dependent Claim 6, Gramlich teaches that at least one of the inserted annotations requests clipping content from a document, and further comprising clipping content from the target document based on the at least one of the inserted annotations in that one of the action fields in the annotation overlays involves deleting the specified pattern or a range of words/images surrounding the specified pattern; the pattern is looked for in the requested document that is to be annotated (Col. 9, lines 45-47).

In regard to dependent Claim 7, Gramlich fails to specifically teach that at least one of the inserted annotations describes changes to one or more form elements in a document, and further comprising changing one or more form elements in the target document based on the at least one of the inserted annotations. However, Gramlich does teach that the action field of the annotation overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought. It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those patterns could have been to match form elements since both the overlays and the requested document are both written in HTML and one of the possible components in such a document could have been an HTML form. Gramlich would offer the benefit of changing anything contained in a typical HTML document including form elements.

In regard to dependent Claim 8, Gramlich teaches that *at least one of the inserted annotations prescribes one or more nodes to be replaced in a document, and further comprising replacing one or more nodes in the target document based on the at least one of the inserted annotations* in that the action field in each of the annotation overlays can contain a Replace attribute that acts to replace the specified pattern or a designated part of the document including the specified pattern with the contents of the arg field (Col. 9, lines 48-51).

In regard to dependent Claim 9, Gramlich fails to specifically teach that *at least one of the inserted annotations specifies one or more (attribute name, attribute value) pairs to be inserted into a document, and further comprising inserting one or more (attribute name, attribute value) pairs in the target document based on the at least one of the inserted annotations*. However, Gramlich does teach that the action field of the annotation can contain an Insert attribute overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought. It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those patterns could have been to insert attribute name/value pairs since both the overlays and the requested document are both written in HTML and one of the possible components in such a document would have been a HTML tag containing attribute name/value pairs (e.g., a hyperlink). Gramlich would offer the benefit of changing anything contained in a typical HTML document including name/value pairs.

In regard to dependent Claim 10, Gramlich fails to specifically teach that *at least one of the inserted annotations specifies fine-grained transcoding preferences to be inserted into a document, and further comprising inserting fine-grained transcoding preferences in the target document based on the at least one of the inserted annotations*. However, Gramlich does teach that the action field of the annotation overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought. It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those actions could have been to insert fine-grained transcoding preferences since the invention of Gramlich is capable of inserting annotations regardless of what those annotations might contain. One of the goals in annotating any document is to enhance it in some way, so that it becomes more useful and informative to the eventual recipient. Inserting preferences to assist in further actions on the document would be just one of many examples of annotations that would enhance the document for the eventual recipient be that a person, or additional coding.

In regard to dependent Claim 11, Claim 11 reflects the method of enhancing document transcoding as claimed in Claim 10, and is rejected along the same rationale.

In regard to dependent Claims 12-15, Claims 12-15 reflect the method of enhancing document transcoding as stated in Claim 1, and are rejected along the same rationale.

In regard to dependent Claim 16, Gramlich teaches that *the location is expressed using positional information that is based upon target tags in a target* in that a pattern (3) is a pattern of words or pixels in the requested document that the AOP 114 must operate on. The pattern field is necessary, as the document URL in an annotation overlay does not provide *fine location* within a document but merely a pointer to the document as a whole. The pattern syntax consists of a list of words or pixels making up the pattern set off by balanced single quotes (Col. 9, lines 19-27).

In regard to dependent Claim 17, Gramlich does not explicitly teach that *the positional information enables case-insensitive matching of text in the target document*. However, given that the pattern field of Gramlich consists of a pattern of words or pixels in the requested document that the AOP 114 must operate on. The pattern field is necessary, as the document URL in an annotation overlay does not provide fine location within a document but merely a pointer to the document as a whole. The pattern syntax consists of a list of words or pixels making up the pattern set off by balanced single quotes (Col. 9, lines 19-27). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that the pattern defined in a given annotation overlay could have been made to be "case-insensitive" as this would have benefited the matching of items in the target document by ignoring case since different authors might code the HTML in different ways. For example, some web authors like to capitalize HTML tags. By ignoring case, those tags would always be found. Likewise, some authors prefer to capitalize attribute names (e.g., ALT="").

In regard to dependent Claim 18, Gramlich fails to explicitly teach that *the positional information enables the selectively inserting step to operate with statically generated document content as well as with dynamically generated document content*. However, Gramlich does teach that the requested document is first copied to the merged document (the target) (Col. 11, lines 62-63). If one assumes that the requested document is static, then the initial target document is also static. Once the annotation overlays act on the target document, it becomes a dynamically generated document in that the annotations are dynamically changing the contents of the original static document. Hence, It would have been obvious to one of ordinary skill in the art at the time of invention to conclude that the selectively inserting step would have been working on both static and dynamically generated documents in this case, as claimed.

In regard to dependent Claims 19-20, claims 19-20 reflects the method of enhancing document transcoding as claimed in claim 17, and is rejected along the same rationale.

In regard to dependent Claim 21, Gramlich teaches a *definition of the annotation indicates whether the annotation should be inserted before or after the location* in that for example, in Table 3: 1)
<http://info.cern.sh/hypertext/WWW/Daemon/User> (3)(4) `Files can be real or synthesized` [Insert after sentence] (5) Unfortunately, there is no way to tell the difference between synthesized and real files; this makes it extremely difficult to reliably cache HTML documents using the CERN server (Col. 12, lines 51-57). In this example, the "[Insert after sentence]" require that the annotation occur after the location.

In regard to dependent Claim 23, Gramlich fails to explicitly teach that *the at least one specified annotation further specifies one or more rows and/or columns to be clipped from the tables*. However, Gramlich does teach that the action field of the annotation overlays (insert, delete, replace, and Run_Program) would all affect changes to the requested document based on the pattern sought (Col. 9, lines 35-54). It would have been obvious to one of ordinary skill in the art at the time of invention to assume that one of those changes could have been to delete (clip) one or more columns/rows of a table since the invention of Gramlich includes the possibility of annotation overlays that delete (clip) items from a requested document regardless of what those items are as long as the pattern is matched. The benefit would have been to provide a document for a given user or for further processing by other applications.

In regard to dependent Claims 24-25, Gramlich fails to specifically teach a *definition of a particular one of the specified annotations states at least one (key, value) pair as a condition that indicates when the particular annotation is to be inserted into a document.* However, Gramlich does teach that each of the annotation overlays (which can exist in groups (Col. 6, lines 58-67; Col. 7, lines 1-4)) contain patterns that are designed to match certain portions of the requested document (Col. 9, lines 18-33). The patterns can consist of practically anything. The actions to be taken once a pattern is identified can include an Insert action that inserts the contents of the arg field into the requested document at a specified location relative to the pattern found (Col. 9, lines 35-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to conclude that the invention of Gramlich could have used a key/value pair as a pattern to identify in the requested document, providing the benefit of locating a particular URL and inserting an annotation near it.

In regard to dependent Claim 26, Gramlich fails to explicitly teach that the *location is expressed using Xpath notation.* It is well known that XPath is a language for finding information in an XML document. XPath is used to navigate through elements and attributes in an XML document. Hence, it is a pattern matching language. Gramlich uses patterns in its annotation overlays. It would have been obvious to one of ordinary skill in the art at the time of invention to conclude that one could have used Xpath notation in the invention of Gramlich, just as one could have used any other form of pattern matching syntax. The benefit would have been to better locate patterns in a markup language document such as HTML, SGML, and XML and annotate them.

In regard to dependent Claim 29, Claim 29 reflects the method of enhancing document transcoding as claimed in Claim 1 (and similarly Claim 27) and is rejected along the same rationale.

10. Claims 4, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramlich in view of Roscheisen, and in further view of Anderson et al. (hereinafter, Anderson, U.S. Patent No. 5,581,682, filed 06/25/1992, issued 12/03/1996).

In regard to dependent Claim 4, Gramlich fails to teach that *at least one of the specified annotations is specified separately from the target document*. However, Anderson teaches that the annotations are overlaid on the final-form document much as one would overlay one transparency slide over another where the topmost sheet represents an annotation. In this way, it adds to the content of the document without physically being written atop the bottom slide (the original). Using the two-slide metaphor, Thus, Anderson teaches that the annotations are separate from the target document as claimed (Col. 2, lines 24-36). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Anderson as both inventions relate to annotating documents. Anderson's teaching provides the benefit of keeping the original document intact.

In regard to dependent Claim 22, Gramlich fails to explicitly teach that *the at least one specified annotation further specifies one or more exceptions to the clipping of the content*. However, Anderson teaches that in order to apply a reduction overlay, one needs to have proper security and that the security has to match the level assigned to the overlay (Fig. 5, block 8). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Gramlich and Anderson as both inventions relate to annotating documents. Adding the teaching of Anderson further clarifies the annotation process described by Gramlich.

Response to Arguments

11. Applicant's arguments, see Amendment, filed 11/16/2005, with respect to the rejection(s) of claim(s) 1, 5-6, 7-21, 23-27, 29, and 31-32 under Gramlich in view of Nagao have been fully considered and are not persuasive.

It is respectfully noted that issues regarding the Affidavit filed by Applicant and noted in comments associated with Box 11 in an Advisory Action mailed 12/27/2005 have not been resolved. Therefore, the rejection is maintained with respect to the Nagao reference. In addition, a new rejection is also made citing Gramlich in view of Roscheisen and Anderson. Roscheisen teaches limitations similar to, and previously cited by Nagao.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell
02/14/2006

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
2/21/2006